

1 IN THE UNITED STATES DISTRICT COURT
2 MIDDLE DISTRICT OF TENNESSEE
3 NASHVILLE DIVISION
4
5 UNITED STATES OF AMERICA,)
6 Plaintiff,) Case No.
7 v.) 2:19-cr-00013
8 GEORGIANNA A.M. GIAMPIETRO,) CHIEF JUDGE CRENSHAW
9 Defendant.)

23 PREPARED BY: LISE S. MATTHEWS, RMR, CRR, CRC
24 Official Court Reporter
25 719 Church Street, Suite 2300
Nashville, TN 37203
lisemathews@tnmd.uscourts.gov

1 APPEARANCES:

2 For the Plaintiff:

3 Philip H. Wehby
4 Kathryn Ringer
5 U. S. Attorney's Office (Nashville)
Middle District of Tennessee
719 Church Street
6 Nashville, Tennessee 37203

7 Jennifer E. Levy
U.S. Department of Justice-National Security Division
8 Counterterrorism Section
9 950 Pennsylvania Ave., NW
Washington, DC 20530

10 For the Defendant:

11 Charles D. Swift
12 Constitutional Law Center for Muslims in America
100 N. Central Expy
13 Suite 1010
Richardson, Texas 75080

14 Linda Gail Moreno
15 100 N. Central Expy.
Suite 1010
16 Richardson, Texas 75080

17

18

19

20

21

22

23

24

25

1 The above-styled cause came on to be heard on
2 July 15, 2022, before the Honorable Waverly D. Crenshaw, Jr.,
3 Chief District Judge, when the following proceedings were
4 had, to-wit:

5 THE COURT: All right. Be seated.

6 So we're here on Case 19-13, *United States of*
7 *America versus Georgianna Giampietro*. And Mrs. Giampietro is
8 here in the courtroom.

9 If counsel can introduce yourselves on the record.

10 MR. WEHBY: Good afternoon, Your Honor. Phil
11 Wehby, Jennifer Levy and Katy Risinger for the United States.

12 MR. SWIFT: Good afternoon, Your Honor. Charles
13 Swift and Ms. Linda Moreno on behalf of the defendant. With
14 me at counsel table is my law clerk, Sufia Khalid, who is
15 pending her bar admission. And Mr. Strianse has been
16 previously excused with the Court's permission.

17 THE COURT: All right. And Ms. Moreno, you have a
18 motion?

19 MS. MORENO: Yes, Your Honor. May I approach?

20 THE COURT: Sure.

21 MS. MORENO: Thank you.

22 Thank you very much, Your Honor. My apologies. I
23 did not file a motion before. Excuse me.

24 I'm requesting that the Court allow me -- excuse
25 me at 3:30 today so I can make the last flight back to New

1 York, JFK, the direct flight. Otherwise, I'll have to stay
2 an extra night, pay more tomorrow for another flight in the
3 morning. And I do apologize to the Court. Mr. Swift is
4 handling the entire sentencing hearing. That would be --

5 THE COURT: No problem. And I did change the time
6 so --

7 MS. MORENO: I'm so sorry?

8 THE COURT: I changed the time for the sentencing,
9 so that probably added to your confusion.

10 MS. MORENO: I'm sorry, Your Honor.

11 THE COURT: No problem. You're excused.

12 MS. MORENO: Thank you, Your Honor.

13 THE COURT: So Ms. Giampietro, we're here today
14 for sentencing because on January the 18th you and your
15 attorney entered a plea of guilty to the single count in the
16 superseding information that charged you with violating 18,
17 U.S.C., Section 2339C(c) by concealing and disguising the
18 nature, location, source, ownership, and control of material
19 support and resources knowing, intending that support and
20 resources to be provided to a foreign terrorist organization,
21 all in violation of 18, U.S.C., Section 2339B.

22 When I accepted your plea, I told you, and remind
23 you this afternoon, that the statutory penalty is up to ten
24 years' imprisonment, supervised release up to life, a fine up
25 to \$250,000, and the mandatory \$100 special assessment.

1 Do you understand you could be sentenced to the
2 statutory maximums today?

3 THE DEFENDANT: Yes, I do.

4 THE COURT: So in preparation for sentencing, I
5 reviewed the plea, your plea petition, your sentencing
6 memorandum, the government's sentencing memorandum, your
7 motion for downward departure, your college paper about
8 "Money in All the Wrong Places, Corruption in Financing
9 Terrorist Organizations."

10 I also, Ms. Giampietro, obtained and read the
11 sentencing transcript, the judgment, and other documents
12 associated with *United States versus Alaa Abusaad*,
13 A-b-u-s-a-a-d, Case Number 19-cr-475, Northern District of
14 Alabama.

15 I've also read again the October 23, 2018,
16 statement you gave to law enforcement on the day the search
17 warrant was executed on your residence. And I also read the
18 joint filing of the proffer summary, Document 432.

19 Are you familiar with all those documents?

20 THE DEFENDANT: Yes, I am.

21 THE COURT: And have you had enough time to talk
22 to Mr. Swift and ask him any questions in preparation for
23 sentencing?

24 THE DEFENDANT: Yes, I have.

25 THE COURT: Okay. And I don't think your mic is

1 on.

2 THE DEFENDANT: Oh. Yes, I have.

3 THE COURT: It's not on.

4 MR. SWIFT: It's actually on here. She needs to
5 speak up.

6 THE DEFENDANT: Yes, I have.

7 THE COURT: Much better. That's okay. That's
8 okay.

9 Did you ask him questions, to the extent you had
10 questions?

11 THE DEFENDANT: Yes.

12 THE COURT: And was Mr. Swift responsive to any
13 questions you had?

14 THE DEFENDANT: He answered all of them.

15 THE COURT: All right. And do you have any
16 complaints or grievances about his services, or the services
17 of any of your lawyers, to this point in time?

18 THE DEFENDANT: No grievances or complaints.

19 THE COURT: Did you receive a copy of the June
20 14th presentence report?

21 THE DEFENDANT: Yes.

22 THE COURT: And did you have a chance to read that
23 document?

24 THE DEFENDANT: I have.

25 THE COURT: And go over it with Mr. Swift and your

1 other lawyers?

2 THE DEFENDANT: Yes.

3 THE COURT: Did you read every page of the
4 document?

5 THE DEFENDANT: Yes, I did.

6 THE COURT: And every word on every page?

7 THE DEFENDANT: Yes, I have.

8 THE COURT: Do you want any more time to review
9 it?

10 THE DEFENDANT: No, I do not.

11 THE COURT: So previously I ruled on the two
12 substantive objections presented at the hearing back on June
13 24th. I've ruled on those. I ruled orally, and I've also
14 issued a memorandum opinion and order that addresses the
15 guideline calculation.

16 Mr. Swift, are there any other objections to the
17 PSR that I have not addressed?

18 MR. SWIFT: No, Your Honor.

19 THE COURT: All right. Any objections from the
20 government to the PSR that I have not addressed?

21 MR. WEHBY: No, Your Honor.

22 THE COURT: Okay. And Mr. Swift, would you -- do
23 you believe there's anything before the Court that -- that
24 the Court should not consider as we approach imposition of
25 sentencing here today? Because the record -- you and the

1 government have filed a lot of material. I've read it all,
2 but I want to be sure that in reaching my decision today I'm
3 not looking at something you don't want me to look at, or
4 consider.

5 MR. SWIFT: I don't believe there is.

6 THE COURT: And how about the government? You,
7 likewise, have filed a lot of things. Is there something
8 that has been filed that the government believes I should not
9 consider in imposing sentencing?

10 MR. WEHBY: No, sir.

11 THE COURT: So I'm going accept the facts
12 contained in the presentence report as true and rely upon
13 them for sentencing here today.

14 Previously, on June the 24th, and subsequent to
15 the 24th we've calculated the guideline. I don't think I
16 need to do that again. Suffice it to say that the guideline
17 range is 253 to 294 months. However, that number's capped at
18 120 months because that's the statutory maximum for the
19 offense of conviction.

20 Supervised release is authorized up to life. A
21 fine range is up to \$250,000, and the mandatory assessment.

22 Just to put it on the record again, do you -- does
23 the defense have any objections that haven't otherwise been
24 stated to the presentence report?

25 MR. SWIFT: None that have not otherwise been

1 stated.

2 THE COURT: To the guideline range.

3 And the Government?

4 MR. WEHBY: That's correct, Your Honor.

5 THE COURT: All right. So that takes us to
6 argument on sentencing.

7 Does Mr. -- I'm sorry. Does Ms. Giampietro intend
8 to allocute?

9 MR. SWIFT: She does.

10 THE COURT: All right. Do you have any witnesses?

11 MR. SWIFT: No, I do not.

12 THE COURT: Or the government?

13 MR. WEHBY: No, Your Honor.

14 THE COURT: Okay. So I would just suggest let me
15 ask my questions to both the government and you, Mr. Swift,
16 and then I'm going to let you make your argument, and then
17 let the government respond. Then you and Mrs. Giampietro can
18 have the last word. That way, Ms. Giampietro, you know what
19 everybody else thinks and then you can tell the Court what
20 you think.

21 Is that fair? Is that okay?

22 MR. WEHBY: Yes, sir.

23 THE COURT: So the first thing -- all right. So
24 both sides were a little vague about the -- what term of
25 supervised release you think is appropriate. So let's start

1 with the government. And then I'm going to ask you,
2 Mr. Swift.

3 What's your recommendation for supervised release?

4 MR. WEHBY: Your Honor, our recommendation --
5 obviously it carries up to life, as the Court indicated. I
6 believe a period of supervised release similar to the period
7 of supervised release imposed in the Abusaad case --

8 THE COURT: Ten years.

9 MR. WEHBY: -- would be appropriate.

10 THE COURT: All right. And Mr. Swift?

11 MR. SWIFT: I believe a period of -- given the
12 history of this defendant, five years is sufficient in the
13 part to ensure compliance with parts -- I would point out
14 that my client is currently in her mid-30s. And part of this
15 is dependent upon sentencing, quite honestly, Your Honor. I
16 believe that 3553 factors have some concerns in them. And so
17 I was vague in part because I don't know where you're going
18 to go. Would I -- if we were giving a lower sentence, would
19 I disagree with ten years? No, I wouldn't. Because I know
20 that statistically on part that the risk of further criminal
21 activity drops dramatically with age and by adding a -- a
22 longer term of supervised release in this case would take her
23 to her 50s or 60s where the risk has -- the government is now
24 paying for supervision that isn't really necessary. That
25 being said, I'm -- I also am very mindful that if it's really

1 not necessary we can come back to court and talk to it again.
2 So from the defendant -- and I've spoken with her about it.
3 She is one of those -- she has no objection; she -- to any
4 term of supervised release on the part because she intends to
5 live a lawful life and she does not view this as an over
6 intrusion.

7 THE COURT: Okay. So with that said, does
8 Ms. Giampietro have any objections or want to be heard about
9 the restriction of the condition regarding internet use? On
10 supervised release.

11 MR. SWIFT: Yes. Ms. Giampietro concerns on
12 internet -- the only concerns -- she has no objection to
13 having it monitored, et cetera. She does, because of the
14 modern need of a human being to function professionally
15 without the internet, she would object to an absolute ban.
16 She has no objections to being monitored in it, in part on
17 this.

18 THE COURT: No objections to the probation
19 department inspecting --

20 MR. SWIFT: That's correct.

21 THE COURT: -- her computer, hardware, software,
22 what have you?

23 MR. SWIFT: None. None on that. Because in part
24 is Ms. -- and I spoke to her at length about what that might
25 entail. And she would -- she has absolute intent to live a

1 lawful life. She is also mindful that having people come and
2 look is helpful on the part on that.

3 THE COURT: And, likewise, she wouldn't have any
4 objections to only using those electronic internet services
5 that are allowed by the Court and probation? In other words,
6 I agree with you that you've -- to live today you've got to
7 have access to the internet. Although, it was easier to live
8 without the internet. But she can only use those devices
9 authorized by the Court.

10 MR. SWIFT: Absolutely, Your Honor. And work in
11 coordination on that. There is no -- again, Ms. Giampietro
12 intends on living in this local area, returning to her life
13 when she is released, trying to go forward on it, and these
14 would not create work or difficulties on imbalance. And if
15 for some reason it did -- we can't foresee it -- we can come
16 back.

17 THE COURT: Sure. You can always come back.

18 So while you're there, one thing that's referenced
19 in all the papers but I never do see an answer to, why did
20 she lose custody of the son?

21 MR. SWIFT: She did lose custody of her son in
22 part because of the statements she had made concerning
23 planning, quite frankly. Where she had said or talked about
24 taking her son to Syria. Those came out after the original
25 request. And the Court took custody away from her.

1 THE COURT: And I gather that was done, what, in
2 the juvenile court somewhere in Cookeville?

3 MR. SWIFT: Yes, it was.

4 THE COURT: Then that takes me to your argument
5 about -- that is -- your argument based on what's in the
6 presentence report, that her -- that she experienced some
7 abuse: verbal, emotional, physical from her biological
8 father. And accepting that as true, help me make the link
9 between what occurred to her around ages 11, 12, 13, and her
10 crime of conviction here, essentially an ideological crime,
11 after she got her BA, one master's, well on her way to a
12 second master's. Help me make the link between any abuse
13 with her biological father and the offense of conviction.

14 MR. SWIFT: There's -- and there was abuse
15 afterwards.

16 The link, actually, was provided in one of the
17 government's experts. That government expert set out -- she
18 looked at women who were particularly susceptible to
19 recruitment. And one of the factors that she found
20 universally on that was abuse: significant abuse in their
21 life made them more susceptible. What we find -- and that's
22 not just in Islam. That's in these internet rabbit holes and
23 cults that it's opened up an area, and they are more
24 susceptible. And that's what she found in her research. And
25 I believe it is relevant that she was --

1 THE COURT: Why? Why are they more susceptible?
2 MR. SWIFT: Paraphrasing the government -- you
3 know, in part on the expert on it is that they become
4 searchers. The easiest way to put on it is that they're
5 susceptible to these cult-like activities because of the
6 abuse. And I am not the person -- I looked at it, and I
7 concluded it and put it in in part, and I think it's
8 relevant, because I looked at what the government's expert
9 said.

10 THE COURT: Okay. So let's assume the expert
11 knows what the expert's talking about and it has some logical
12 merit. Nevertheless, she's 37 years old. She's highly
13 educated. One of the most educated criminal defendants I've
14 probably ever sentenced. Well, other than a medical doctor.
15 I'm just having a hard time using that as you want me to use
16 it for any kind of substantial variance.

17 MR. SWIFT: Well, I think that it plays in part
18 because a highly educated person can remain a very
19 emotionally vulnerable person. The two parts on it -- and
20 this part is -- because -- and I'll talk about this in --
21 maybe it's time to talk about it. There really are two
22 Georgianna Giampietro's. There's the Georgianna Giampietro
23 in her daily life who is a mom, who works three jobs, gets
24 her education, gets her master's in social work, and
25 accomplishes all these things against a difficult background.

1 Then there's the Georgianna Giampietro on the internet who is
2 Abu Umm Roses, who is a jihadist, who is arguing for all
3 these things and saying all these things. In part goes in
4 that there's an emotional lack of development that occurs
5 here from trauma. And trauma lasts. And, you know, part --
6 a large part of this case is following a -- part that keeps
7 her in this thing is becoming -- falling in love with
8 somebody on the internet who claims to be Abu Abdullah, who
9 she then becomes devoted to. And for a highly educated
10 person -- putting aside everything else -- that doesn't make
11 sense. That's a dumb thing to do. Okay? No crime at all,
12 it's dumb. And abuse apparently has a link to that. And I
13 did note that in the government -- in the government's expert
14 that she saw a link to that. And so I think it has some
15 relevance. And -- you know, the Court will give it what it
16 will. But that's why -- I think there is a logical part to
17 it, but that's why.

18 THE COURT: Then in your brief you say that she's
19 in the process -- excuse me -- quote, She's in the process,
20 quote, of moderating her beliefs. But as I -- one reading of
21 the presentence report is she's actually, during the period
22 that she was under surveillance by the government, she went
23 from an online activity on the internet, I guess sitting in
24 Cookeville, to in-person activity, meeting with the UCEs,
25 communicating directly with them about how to go to Syria,

1 et cetera. So I don't see that as moderating. I see that
2 as, you know, her activity actually --

3 MR. SWIFT: Well, in part -- and what part on it
4 is they sought her out, and she did meet with them.

5 What I'm talking about is her overall beliefs.

6 Even in December of 2017, when they first meet, she refers to
7 going to Syria in the past tense: When I was going.

8 During this entire time she doesn't change her
9 position with respect to that. She continues to keep it in
10 "she's not going." The other thing that I found I think is
11 very important during her period of time with the undercover
12 is that she starts to argue against the idea of going at all.
13 This part that it's a time of fitna. And that's important
14 inside Islam. She's starting to make a change from where she
15 was in looking at it as religiously justified the way to
16 heaven, to not being required. And that to me is a
17 moderating force. She is not at -- in as strong a position
18 as she had been previously. She's starting to ask questions.
19 And that questioning inside it is part of moderating her
20 beliefs. Now, she is meeting with the undercovers, but they
21 are the ones setting up meetings. She's not the one calling
22 them saying please come meet with me.

23 THE COURT: And I get you on that. And I accept
24 that. But I analogize this all to -- it's just like child
25 porn. It's just like child porn. That's online. Some

1 people look at it -- which is illegal. Some people
2 distribute it, and that's illegal. But essentially it's an
3 online crime. And, yeah, she was just online, but she was
4 doing some things online that are very problematic.

5 MR. SWIFT: I --

6 THE COURT: And, secondly, when I read the
7 proffer, which I did, and I appreciate and give you credit
8 for doing it. That -- I do. I don't see her moderating.

9 MR. SWIFT: Well, let me go on on the part of
10 moderating. If you still want to do it, if you want to
11 support, if you want to do all those things, you don't do a
12 proffer. She wasn't promised anything for this. She's
13 cutting herself from it.

14 THE COURT: So is that when the moderation
15 started?

16 MR. SWIFT: I believe that it started before with
17 the defense; her life was getting better and that she was
18 unlikely to ever go to Syria or do anything at that point.

19 THE COURT: So did she start moderating before or
20 after she pled guilty?

21 MR. SWIFT: No. I think before.

22 THE COURT: When before?

23 MR. SWIFT: When before? In September of the year
24 when she actually commits the crime.

25 She's also -- let's look at this part on the part,

1 Your Honor. If she's strongly in support, where she was once
2 at, why does she say don't go? Why does she pull back on all
3 this stuff? I look at that --

4 THE COURT: Why does she suggest they go to
5 Afghanistan if they can't get to Syria?

6 MR. SWIFT: Well, Your Honor, I would say to the
7 part on it is Afghanistan would have required them to pre-do
8 a whole lot of planning. She isn't involved in Afghanistan,
9 et cetera, on it. To me she's panicking. Your Honor can see
10 it differently on the part, but I view her as moderating in
11 that period of time. I look at it, I don't see an
12 acceleration toward violence. I don't see an acceleration
13 toward these ideas. And I do see her actively discouraging,
14 which is different than actively encouraging, which had been
15 earlier. I also see over the period of time, Your Honor, in
16 part that at the same time her life was changing
17 significantly. She had finally gotten degrees. She gotten
18 part -- so where the professional part is starting to pull
19 her even more toward, hey, you can be a success here, you
20 have these things. And that's a moderating force as well.

21 THE COURT: Okay. So -- I mean, accepting that as
22 true, that's September.

23 MR. SWIFT: Yeah.

24 THE COURT: And, of course, the offense of
25 conviction occurs in October.

1 MR. SWIFT: Yes. Yeah. But I do see -- if you
2 see it before -- you see it to start to modify. You see an
3 acceptance of responsibility by pleading guilty. You see the
4 proffer sessions, by doing all these things --

5 THE COURT: Okay. So I'm mixed up then. Are you
6 talking about September of 2018?

7 MR. SWIFT: Yes.

8 THE COURT: Okay. And she didn't plead until this
9 year.

10 MR. SWIFT: No. It's over a period of time.
11 You've asked me, and I say I see this as a moderating force.

12 THE COURT: If we go from September of 2018 to
13 January of 2022?

14 MR. SWIFT: Yes.

15 THE COURT: Okay. I'm with you now.

16 MR. SWIFT: Yes.

17 THE COURT: So why did she go in and do the
18 proffer since you're getting no credit from the government?

19 MR. SWIFT: She wanted to.

20 THE COURT: Because?

21 MR. SWIFT: The government asked and she felt that
22 she could help them.

23 THE COURT: Oh.

24 MR. SWIFT: She was under -- yeah. You know, one
25 of the ironies on proffers --

1 THE COURT: So the government approached
2 Ms. Giampietro?

3 MR. SWIFT: They approached me.

4 THE COURT: Well, of course.

5 MR. SWIFT: Yes.

6 THE COURT: But the government approached you and
7 said would -- after she pled, would she be willing to give a
8 proffer?

9 MR. SWIFT: Yes.

10 THE COURT: And she gave two days' worth?

11 MR. SWIFT: Yes. And other part on this is, well,
12 note, there's no 5K here.

13 THE COURT: Yeah.

14 MR. SWIFT: There's no chance for a 5K. It's one
15 of the great ironies. The less she's done, the less she can
16 give in these (indiscernible), but she goes down and does it
17 anyway. They ask her to do it again. Spends a whole day.
18 New agents come down from New York or DC. She spends another
19 half day with them. What I say on the part is that's not
20 somebody whose tied to their conduct. That's individually
21 breaking away from it. And it has --

22 THE COURT: And that's a good time to break away
23 from it.

24 MR. SWIFT: You know, I haven't had a client who
25 didn't have it as part of their agreement that they had to

1 ever do it. So we can -- if we hit to a point -- at some
2 point everything can be cynically viewed and everything she
3 does is wrong. Everything.

4 THE COURT: Well, pleading guilty wasn't wrong.

5 MR. SWIFT: Every -- you know, in part in this is
6 -- but, you know, in this part on it is when we sit inside
7 it, I do look that there are a lot of moderating things about
8 her. I believe that absolutely. I've sat with a lot of
9 different clients in this national security part, and she's
10 different. She's not violent. She's a peaceful person. I
11 see a woman who went down a rabbit hole. And it's hard to
12 get out. The internet is a bad place. You're right. You
13 know, the Court made a statement that I had to nod my head
14 at. It was a better world. And I guess I've gotten old
15 because I believe it was a better world. But --

16 THE COURT: Well, the proffer certainly helps her
17 in my eyes. It's -- it seemed like it was cathartic for her.
18 And it put in place a lot of the old arguments that you've
19 been making here in terms of what she did and didn't do and
20 why she did it.

21 MR. SWIFT: Yes.

22 Well, we were willing to go in on part on that and
23 waive part on it. So I did see that. I see it as moderating
24 conduct over time.

25 THE COURT: Okay.

1 All right. So let me ask Mr. Wehby. Why did you
2 all call her in twice to proffer? What -- did you think she
3 knew something that was going to be helpful to the
4 government?

5 MR. WEHBY: Your Honor, just --

6 THE COURT: Well, I'm sorry. My first question
7 is, does the government believe she was truthful during the
8 proffer?

9 MR. WEHBY: I would say we believe that there were
10 instances within the proffer that she probably minimized some
11 of her conduct still.

12 THE COURT: In respect to what?

13 MR. WEHBY: Some of her own conduct.

14 THE COURT: Her own conduct?

15 MR. WEHBY: But --

16 THE COURT: In terms of people, contacts?

17 MR. WEHBY: Yeah. One of the reasons, like, she
18 was brought in was -- I know there was some -- ended up being
19 in the second interview there were some agents I think from
20 out of state who wanted to speak with her about her knowledge
21 regarding matters of interest to them.

22 THE COURT: Uh-huh.

23 MR. WEHBY: I will note for the record, Judge, we
24 don't -- like, based on the information provided, and to
25 Mr. Swift's credit, he acknowledged that, based on the

1 information provided there's simply nothing provided that
2 merited a -- some sort of motion for downward departure.

3 THE COURT: Did she provide anything that's aiding
4 the government in other investigations?

5 MR. WEHBY: Not at this point. No, Your Honor.

6 If --

7 THE COURT: But that final decision hasn't been
8 made?

9 MR. WEHBY: If something were to develop, then we
10 would you know potentially come back before the Court with an
11 appropriate filing. But there wasn't anything provided that
12 I guess has been useful to this point in terms of any
13 other -- aiding any other investigations. That's my
14 understanding.

15 THE COURT: And as to some of the -- setting aside
16 how she describes her own conduct, as you found to be
17 minimizing, did you find that any of the other substantive
18 information she provided was inaccurate?

19 MR. WEHBY: Can I have one moment just to speak
20 with the agent?

21 THE COURT: Sure.

22 MR. WEHBY: I would say no, Your Honor, to that.

23 THE COURT: Okay. It does appear -- correct me if
24 I'm wrong now -- she does look like she volunteered
25 unnecessarily her conduct or behavior toward ISIS.

1 MR. WEHBY: Yes. I mean that was well
2 established.

3 THE COURT: Yeah.

4 MR. WEHBY: But, yes --

5 THE COURT: She didn't have to say that.

6 MR. WEHBY: We had reached out to Mr. Swift, and
7 to their credit, she agreed to meet with us in these two
8 proffers. One thing I do want to correct is the length of
9 the proffers. I know Mr. Swift had indicated I think eight
10 hours.

11 THE COURT: Less than eight hours.

12 MR. WEHBY: In total I would estimate it was
13 roughly four hours, the two meetings. So I just point that
14 out for the record. It just didn't take that --

15 THE COURT: It may have felt like eight hours to
16 Mr. Swift.

17 MR. WEHBY: Now, by the time Mr. Swift may have
18 met with his client and we had the meetings and so forth, but
19 I would point that out.

20 THE COURT: All right.

21 MR. WEHBY: And, Judge, on the supervised release
22 issue, just if you wanted us to weigh in on that.

23 THE COURT: I thought you told me ten years.

24 MR. WEHBY: Well, no. In terms of the internet
25 usage.

1 THE COURT: Oh.

2 MR. WEHBY: I think the monitoring that Your Honor
3 had suggested, I think that's -- that would be appropriate.

4 THE COURT: Sure.

5 MR. WEHBY: As long as probation can monitor.

6 THE COURT: Okay. Let me look at my notes real
7 quick. Oh, what does the government -- you sort of. . . So
8 what does the government say -- what's the government's take
9 of the October 23rd, 2018, interview? I've read it over and
10 over. And I just want to -- what's your -- what -- how did
11 the government view that information, and the way she
12 presented herself? On October the 23rd, 2018.

13 MR. WEHBY: Well, she -- with the FBI she
14 acknowledged certain things, but I don't think she was --
15 obviously, from the entirety of that interview she wasn't
16 completely candid with the agents about her level of
17 involvement. But she did acknowledge I think taking
18 obstructive steps I think as part of that interview. But she
19 didn't disclose the full -- her full conduct. I mean --

20 THE COURT: Okay. And then all of this -- and
21 Mr. -- Mr. Swift makes a good point. All of this is really
22 at the behest of the government. So what -- was there a real
23 threat because of her activity? This was never going to
24 materialize into UCE1 and 2 traveling to Syria to join HTS to
25 fight in -- that was never going to occur with UCE1 and 2.

1 Right? That just wasn't going to occur?

2 MR. WEHBY: Well, obviously, they weren't going
3 to.

4 THE COURT: Yeah. Your people weren't going to
5 all of a sudden be double agents and start going to Syria.

6 MR. WEHBY: But I think we've indicated in our
7 filings -- I mean, what precipitated this is FBI getting
8 involved was based on online activity.

9 THE COURT: But this wasn't --

10 MR. WEHBY: In terms --

11 THE COURT: All this together wasn't a real threat
12 to the security of the United States of America? Or for
13 Syria.

14 MR. WEHBY: Well, no, it -- it -- it certainly
15 could have evolved --

16 THE COURT: It could have been.

17 MR. WEHBY: -- into that. Obviously with the
18 undercovers --

19 THE COURT: It wasn't.

20 MR. WEHBY: But it was nonetheless serious conduct
21 that could have been carried out with other individuals.

22 THE COURT: Unlike other cases, I don't have a
23 real bombing here.

24 MR. WEHBY: That's true.

25 THE COURT: Other cases that you -- Mr. Swift

1 sites, I don't have a real defendant here who actually took
2 \$30,000 in gold bullion and went to give it to a foreign
3 terrorist. There's no real harm here. There's the threat of
4 harm, but that just didn't occur.

5 MR. WEHBY: Well, we do also have -- may I have
6 one second?

7 Well, one of the things in these types of cases
8 it's incumbent upon the law enforcement, FBI here, to be
9 proactive, as opposed to reactive. Because you want to
10 prevent certain things from happening. So I do think that's
11 obviously significant. And she did have a network of people
12 with whom she was communicating.

13 THE COURT: Right. But the preventative would be
14 if she was talking to people other than the UCE.

15 MR. WEHBY: Right.

16 THE COURT: And you all come in, get involved, and
17 stop that from happening. That's not the case.

18 MR. WEHBY: But I think in terms of what the Court
19 is asking -- obviously, we don't have her -- there was
20 discussion about her wanting to travel, but she did not
21 travel over to Syria. So you don't have that that you see in
22 some of the other cases. I acknowledge that. But that
23 doesn't make it any less serious.

24 THE COURT: And you wouldn't take -- you wouldn't
25 disagree with me that that's something I should consider in

1 the 3553(a) --

2 MR. WEHBY: I think Your Honor should consider the
3 entire universe of information.

4 THE COURT: Including the -- how this all came to
5 light?

6 MR. WEHBY: I think you should consider it all
7 because I think in terms of reaching a fair and just result,
8 as I know this Court will do, you should consider the entire
9 universe of information that's before you.

10 THE COURT: And what's your number for sentencing?
11 Your brief says between 60 and 90.

12 MR. WEHBY: No, that wasn't our position. I will
13 tell the Court this -- and the Department's position on this
14 case would be that an appropriate sentence would be 120
15 months.

16 THE COURT: What does Mr. Wehby think?

17 MR. WEHBY: Beyond that -- beyond that, the
18 government doesn't make a specific recommendation.

19 THE COURT: Okay. So I'm going to ask Mr. Wehby
20 what he thinks as an officer of the Court.

21 MR. WEHBY: I think as an officer of the Court,
22 mindful that I'll be bound by what the Department is
23 recommending --

24 THE COURT: Well, you'll be -- you'll at least be
25 protected from retaliation.

1 MR. WEHBY: As an officer of the Court, I would
2 believe a sentence in the neighborhood of where Ms. Abusaad
3 was sentenced would be appropriate, would be supported by
4 the --

5 THE COURT: When I read that -- have you read it?
6 I'm sure you read it.

7 MR. WEHBY: I'm aware of it.

8 THE COURT: It -- it was unique. I read the
9 sentencing colloquy and -- the whole thing. I don't know.
10 It just seemed a bit of an aberration. But I don't have
11 anything much to compare it to.

12 MR. WEHBY: Yes, sir.

13 THE COURT: All right. So that -- anything else
14 from the government? I'll stop at this point. Anything more
15 the government wants to add?

16 MR. WEHBY: Your Honor, I think the only thing I
17 would further indicate is -- I mean one of the things with
18 regard to this is, obviously, this defendant, who is highly
19 educated, was having these online conversations with minors,
20 and with I think even Ms. Abusaad was much younger. I don't
21 know her specific age at this point, but she was much
22 younger, probably at least 12 to 15 years younger than this
23 defendant. So the influence is one of the things that is of
24 concern in these types of incidents, where there's this
25 online communication, there's this radicalization, and what

1 that can lead to is, obviously, a concern.

2 THE COURT: And when I read Ms. Abusaad's plea
3 agreement and agreed facts, I actually thought I was going to
4 see a reference to Ms. Giampietro. And I didn't.

5 All right. So Mr. Swift, that takes us to you and
6 your client. Do you want some water?

7 THE DEFENDANT: I'm good. Thank you.

8 THE COURT: Okay.

9 THE DEFENDANT: Your Honor, as I stand before you
10 today, I would like to apologize publicly to the people I
11 have hurt. I would like to begin with my daughter. While I
12 was talking with Abu Abdullah and texting him and dreaming of
13 going to Syria, or meeting with Aisha and texting her, I was
14 not thinking about you. You should have been first in my
15 life, the most important, but I put you last. I thought Abu
16 Abdullah and his sisters loved me, but it was always you who
17 has loved me. I was not thinking about you, and you have
18 every right to hate me. Knowing that you love me and you
19 still want me to be your mother makes me more than anything
20 want to be worthy of your love. There has not been a day in
21 my incarceration I have not thought about you, worried about
22 you, missing you. I love you so much.

23 I would like to apologize to my son, who is unable
24 to see me, which is my fault. The reason I cannot see you is
25 because I was talking about taking you to Syria so I could

1 marry a man I only knew online. I stayed up nights messaging
2 him. I felt like he listened to me. I believed he loved me.
3 I wanted to be with him, but I did not want to leave you.
4 When I realized I could not take you, I gave up on going. It
5 was my love for you that stopped me from doing something
6 truly stupid. After I was arrested I learned Abu Abdullah
7 was not who he said he was. I pray some day I will be able
8 to be a part of your life again.

9 To my mother, thank you for coming today to
10 support me as you always have. Thank you so much for taking
11 care of my daughter. I am so sorry for putting you through
12 this. I apologize for not being there to help you and my
13 daughter and with the household. I want you to know this is
14 not your fault. You have always shown me what love is. When
15 I told you I reverted to Islam, you still loved me. The FBI
16 came, you still loved me. I am sorry I did not trust you
17 with this. I know if I would have told you this we would not
18 be standing here today.

19 I apologize to my brother. I am sorry you have to
20 bear all the burdens I left you. I apologize I cannot be
21 there to help you with taking care of my family, and I thank
22 you for helping in taking care of our mother and my daughter.
23 I promise to be a better sister to you and be there for you.

24 To my patients who I had a responsibility to, I
25 apologize to you for leaving during treatment and care. My

1 patients trusted me and expected more from me. I am sorry I
2 failed you as a professional. I promise to do my best as a
3 professional to better care for you, listen to you, and treat
4 you.

5 I apologize to the Islamic community for my
6 behaviors and actions. I am sorry that I embarrassed you. I
7 am sorry for being a coward and not openly practice Islam
8 with the Islamic community. I have failed to be a good
9 Muslim. I have failed to be a better sister, friend, and
10 role model to the young sisters of the community. I should
11 have helped them, taught them, instead of misleading them. I
12 promise to be a better Muslim, sister, friend of the Islamic
13 community.

14 I would like to thank the government for helping
15 me better understand Islam.

16 Aisha, I really thought you were my friend. When
17 I found out you were an undercover agent, I felt so stupid.
18 I was angry at you. Over these past 35 months I had a lot of
19 time to think. I believe God put you in my life to start
20 bringing back the true messages of Islam. All your questions
21 allowed me to research more into Islam and to learn the true
22 meaning of Islam. Believing in these false profits in Syria
23 put me at risk in my soul.

24 Aisha, you helped me to know Islam is of love and
25 peace and not extremism. During the research for Islam I

1 found the Quran has an anti-terrorism law, which states:
2 "Whoever takes a life it will be as if they killed all
3 humanity, and whoever saves a life, it will be as if they
4 saved all of humanity."

5 Additionally, I learned that great Jihad means to
6 strive for a better, more righteous life. Kindness to
7 parents is a form Jihad. A kind word to a stranger is a form
8 of Jihad. Also I learned a true Muslim is the one who does
9 not harm people with their hands or tongues. Don't respond
10 to evil by evil but by doing what is good, and to show mercy
11 to those on Earth and God will show mercy to you.

12 To the agents, I am glad we had got to talk after
13 signing my plea. I hope what I told you will help you in
14 stopping others because I do not want to see others fall down
15 the same road I did. Thank you.

16 Thank you.

17 THE COURT: So I appreciate that, and it's
18 extremely well stated and -- and sincere.

19 So one question I've had for a long time is how
20 does a young, educated lady like yourself get tied up in this
21 offense of conviction from Cookeville, Tennessee?

22 THE DEFENDANT: When I reverted to Islam, I turned
23 to the online community. And that's all I knew. They taught
24 me. They showed me. And I didn't look anywhere else.

25 THE COURT: So there was no community within

1 Cookeville or the surrounding county?

2 THE WITNESS: There is a small mosque there.

3 THE COURT: I thought --

4 THE DEFENDANT: But I -- I've been there a couple
5 of times.

6 THE COURT: October 23, 2018. I thought you
7 responded cleverly to law enforcement. Was that -- was that
8 your intent?

9 THE DEFENDANT: I was just scared. I was nervous.

10 THE COURT: But you were thinking throughout the
11 whole question and answer. Your answers and non answers were
12 quite impressive. Was that what you were trying to do?

13 THE DEFENDANT: I just didn't want to get in
14 trouble.

15 THE COURT: And without talking -- I don't want to
16 know about any attorney/client communication, but I assume
17 you gave Mr. Swift permission to set up the proffer meetings
18 after your plea?

19 THE DEFENDANT: Yes. That's correct.

20 THE COURT: And without sharing with me anything
21 he said, why did you want to do it?

22 THE DEFENDANT: Because I wanted to help others.
23 I don't want -- I didn't want them to be like me and go just,
24 you know, to the online community and then be brainwashed,
25 you know. I wanted to just try to help others and let the

1 government know, you know, that some of these charities are
2 undercover.

3 THE COURT: And you heard me ask Mr. Swift -- I'll
4 give you a chance to respond -- exactly when do you say you
5 started moderating your behavior?

6 THE DEFENDANT: When I came to jail.

7 THE COURT: Back in?

8 THE DEFENDANT: 2019, of August.

9 THE COURT: 2019. Okay.

10 THE DEFENDANT: I started reading more of the
11 Quran and reading other Islamic books.

12 THE COURT: Okay. Anything else, Mr. Swift?

13 MR. SWIFT: No, Your Honor.

14 THE COURT: So -- you can remain there.

15 So my responsibility is to impose a sentence
16 that's sufficient but not greater than necessary to
17 accomplish the purposes of the sentencing laws. And I do
18 that by applying the factors that you've seen your lawyer
19 discuss in the brief, and the government has discussed in the
20 brief.

21 And I've taken into consideration all the
22 arguments. And I'm going to try to address all of those here
23 now. But one overarching view I have of this, this is not
24 the typical case that this Court sees, or I have seen.
25 Instead, you're very smart, well educated, and you engaged in

1 what I continue to call an ideological crime. You had these
2 strong beliefs, and those beliefs ran afoul of federal law
3 that brings you here today.

4 So what is it that brings us here today? And I do
5 think it's extraordinarily serious, even though it's an
6 ideological crime, and as I found to be unique. My
7 understanding is you've pled guilty that between September 23
8 of 2018 and October 23, 2018, you admit to concealing and
9 disguising your support, material support and resources, that
10 you provided to these two undercover law enforcement
11 employees, that clearly the lady, Aisha, touched you quite --
12 quite significantly. And you gave them information on how
13 they could travel to Syria, how they could avoid detection in
14 traveling to Syria from the federal government, how they
15 could join HTS, which the Court has come to learn, and the
16 parties have acknowledged, is a foreign terrorist
17 organization that is engaged in some serious atrocities that
18 I've already written about. That you thought -- you -- you
19 believed that these two undercover were going to fight for
20 HTS against -- fight HTS against the government of Syria and
21 to provide funds to them. I was glad to see in your proffer
22 that you expanded a little bit more on the funds. And I will
23 say that, while you've admitted to doing that, and your
24 proffer gives further information of doing that, the Court
25 notes and takes into consideration the crime is really

1 providing the funds, or attempting to do that, but I also
2 take in the fact that the funds you actually did were a very
3 small amount, nothing like what your lawyer has -- has cited
4 in other cases.

5 While this is an ideological crime -- and it was
6 never completed due to the undercover government employees --
7 nevertheless, it is clear that you did give specific travel
8 advice based on your own experience, based upon your own
9 thoughts, and on your own desires at the time. You -- you
10 told them about telephone usage. You told them about a route
11 to Syria through Turkey and Italy, et cetera, to arrive in
12 Italy. And you offered support to this Individual A in their
13 travel.

14 Now, Ms. Giampietro, you are not -- at least in my
15 opinion -- the ordinary criminal. And I'm not even sure
16 you're the ordinary defendant who's facing and has pled
17 guilty to these charges under this statute. But you are very
18 smart I think. I think you're very sophisticated. The
19 reason I focus on the October 23, 2018, is because if I had
20 to grade who won that Q and A, it would be you and not the
21 law enforcement. Because your answers were very, very good
22 in avoiding providing information.

23 I know there was several times during October 23
24 when the lady law enforcement person sort of I think raised
25 her voice, as best as I can tell from the transcript, and

1 said, "Georgianna, we know things." So she was trying to get
2 you to come clean. But as the Court explained when I
3 calculated the guideline range, in that -- and I've explained
4 at the time in the memorandum opinion -- you did commit what
5 I call notable acts in addition to your crime of conviction.
6 And that is, and this shows I think some skill, some
7 shrewdness, some sophistication on your part, you did very
8 good in concealing your concealment. And I've spoken to that
9 and written to that. And that says -- that says a lot about
10 you and is something the Court's taking into consideration
11 for sentencing.

12 Also, the nature of your offense of conviction
13 reflects your desires. The nature of your offense of
14 conviction reflects that you attempted to create a grave
15 threat on the government of Syria and -- and at least
16 indirectly on the government of the United States, even from
17 your outpost in the middle -- in the most rural parts of the
18 Middle District of Tennessee.

19 And as I've already explained, you've admitted to
20 your knowledge about HTS. You've admitted about what HTS was
21 engaged in doing and its activities. I was glad to read that
22 you have confessed to your concerns and knowledge about ISIS.
23 You tried to send money to HTS to advance that cause. And
24 again, not a lot of defendants come with me having written a
25 college paper on the very topic that brings you here today.

1 So the nature of the offense, however I have to
2 put into context, it does not include recruiting others.
3 Indeed, law enforcement approached you. It does not include
4 you actually traveling to Syria, even though you at least at
5 one point in time had that thought. And it does not include
6 any actual violence. But Mr. Swift writes a really good
7 brief. You're well represented by him. Because he points
8 out it's an online crime. And I think you've got two pages,
9 and each sentence starts off with "online." And that's true.
10 He's very -- and I take that in consideration. But the same
11 is true for child porn. The same is true for child porn.
12 Those who view it and those who distribute it may not ever
13 come in contact with a minor, but that's still illegal.

14 I've already commented on your personal
15 characteristics. And the record is clear. You've got one
16 master's. You're well on your way to having a second
17 master's in licensed master social worker. And I do take
18 into consideration your biological father engaged in verbal,
19 physical, emotional abuse from age five to 14. But again, I
20 have to temper how much weight I give that because of your
21 significant work history, as well as your significant
22 education. Perhaps he did -- not perhaps. I take it as
23 true. He may have done all these things. But I have a hard
24 time linking what happened to you at age five and 14 with the
25 activities and your age and your knowledge and education

1 that -- that -- at the bottom of the offense of conviction.

2 Your family life was stable. I find your family
3 was financially stable. You did -- you do have two children.
4 You've lost custody in part due to the activities here.
5 There was some drug abuse as -- as a teenager, but there's
6 absolutely no suggestion of any mental/emotional health
7 diagnosis. And I'm sure your lawyer told you, I admire your
8 consistent work history.

9 Respect for the law is something here. And at
10 bottom -- obviously I do not hold against you wanting to
11 proceed to trial. You had that right to do so. And I was
12 ready to proceed if you wanted to. But at the end of the
13 day, you did plea. That shows some respect for the law. At
14 the end of the day, you proffered for not quite eight hours,
15 but for a long time. And that proffer -- that proffer -- the
16 government has not -- the government has put it in
17 perspective, but I consider that. But I do have to kind of
18 balance that with that October 23rd Q and A with law
19 enforcement, which you were very good at not answering
20 questions.

21 I do see a stronger need in this case toward
22 general deterrence than specific deterrence. I think I can
23 deter you with some of the conditions -- I don't know if I
24 can deter you, but I can control you with some of the
25 conditions for -- on supervised release. But I do think this

1 case, unlike other cases, does send a strong -- there needs
2 to be a strong message to other young people, be they male or
3 female, whatever they may be, that they should be weary that
4 engaging in this online activity and crossing that line
5 between providing material support directly or indirectly to
6 a foreign terrorist organization is something they need to
7 avoid, something they need to be aware of. And to the extent
8 any case can send that message, that they -- that if they do
9 so, then they -- they face potential grave consequences.
10 Unlike -- I don't really see the need here of vocational or
11 educational issues I've already expressed.

12 But let me now turn to the guideline range. And
13 that's what -- and that's what most of Mr. Swift's and your
14 brief -- you know, the guideline here is 235 to 293 months,
15 which properly calculated, and the objections are raised, but
16 the first thing is it's capped at 120 months. And that's
17 sort of telling. And much like the child porn guidelines,
18 this one, too, suffers because the terrorism enhancement is
19 really a congressional mandate, one without any empirical
20 evidence to support it. And the Court accepts that as true.
21 And Congress has the right to mandate child porn and
22 terrorism, and that is what it is, and the Court has
23 calculated the guideline correctly. Similarly, treating you,
24 a first-time offender, and putting you at Category VI, which
25 is the highest, and that -- and one which usually is reserved

1 for those who are repeated offenders, does not advance the
2 Court's ability to tailor, as I'm required to do, to tailor a
3 unique sentence for the defendant that's before me.

4 Notwithstanding what the guideline range is, I
5 need to recognize the reality. And that is that
6 Ms. Giampietro is a first-time, first-ever any type of
7 criminal behavior, serious criminal behavior that it is, but
8 it's still the first time. I have to recognize there was no
9 actual violence as a result of her actions. Although, I've
10 already spoken that it's extraordinarily serious conduct.
11 And I still have to nuance the 3553(a) factors, which I'm
12 trying to do to the best of my ability. And that requires
13 the Court to impose a sentence that's unique, and recognize
14 that most sentencing judges and courts recognize there is no
15 one-size fits all for any crime, including the one before the
16 Court.

17 I've considered, Ms. Giampietro, your request for
18 departure, and I'm going to decline that. I recognize that
19 perhaps I could do it. But even more telling for the Court
20 is I have to deny it because it's apparent from the Sixth
21 Circuit, and especially *United States versus Hammadi*,
22 H-a-m-m-a-d-i, 737 F.3d 1043, Sixth Circuit (2013), it is
23 questionable whether or not I even have the ability to do
24 that according to the Sixth Circuit. But even if I did, I
25 think you failed to establish by a preponderance of the

1 evidence that the government acted so outrageously to violate
2 due process. It's unrebutted in the record before the Court
3 that you came to their attention in 2015 through online
4 activity, and that piqued their interest, started the
5 investigation.

6 The Court can't help but note the United States of
7 America has spent an incredible amount of money in this
8 prosecution. When I look at all of the investigation that
9 took place before your arrest, and all of the things that the
10 United States of America has done in prosecuting this case;
11 even, indeed, the Court has to have its own confidential
12 security person. The United States has spent an incredible
13 amount of money in this case. But also, you -- you -- I'm
14 going to decline the departure because the evidence before
15 the Court does reflect that you were a willing participant
16 and helpful -- willingly helpful to the UCE's 1 and 2
17 activities to travel to Syria, to join HTS, to fight with HTS
18 and to fund them money. So I recognize your request. And
19 for those reasons it will be denied.

20 I don't think my sentence is going to create any
21 unwarranted sentencing behavior. The government and
22 Mr. Swift cite the Alabama case. And I've read that. And it
23 just seems from what I've read that that judge did what all
24 judges have to do at sentencing, and that is, come up with a
25 sentence that's unique and appropriate to that particular

1 defendant. I do find differences based on what I've said
2 here, that the 90-month sentence there was unique to that
3 case.

4 And while I've considered it carefully, I've
5 decided that, Ms. Giampietro, I'm going to commit you to the
6 custody of the Attorney General to be imprisoned for a total
7 term of 66 months. That will be followed by 15 years of
8 supervised release. During that period of time, I'm going to
9 impose all of the internet restrictions recommended in the
10 presentence report; namely, you'll have to disclose all of
11 your electronic devices. You'll have to allow search of all
12 of your electronic devices. You will only be allowed to use
13 those electronic devices as -- as the Court permits.

14 You'll need to furnish all financial records to
15 the United States Probation Office. And you're also
16 prohibited from maintaining and using any social media
17 accounts or platforms, unless approved by the Court.

18 I'm going to impose all the standard conditions of
19 supervised release, which will all be set forth in the
20 judgment, as well as the mandatory conditions: You must not
21 commit another federal, state, or local crime, or possess any
22 unlawful controlled substance. And while not an issue thus
23 far, you can't have possession either directly or indirectly
24 with any type of firearms.

25 I will not impose a fine because I determine

1 you're financially unable to pay a fine. But I do have to
2 impose the mandatory special assessment of \$100. Neither
3 restitution or forfeiture are at issue.

4 Are there any other special requests, Mr. Swift?

5 MR. SWIFT: No, Your Honor.

6 THE COURT: So do the parties have any objection
7 to the sentence that have not previously been raised?

8 By the Government?

9 MR. WEHBY: No, Your Honor.

10 THE COURT: Mr. Swift?

11 MR. SWIFT: No, Your Honor.

12 THE COURT: So the sentence is hereby imposed,
13 Ms. Giampietro.

14 Now, you have the right to appeal. That's usually
15 14 days from when the judgment enters. And I might -- I
16 probably won't get it done until the first of next week. But
17 I'll get it done swiftly. If you tell your lawyer you want
18 to appeal, he will do so. You can tell the Clerk of Court
19 you want to appeal; she'll do so. And I'm handing you now a
20 blank form that you can use however you wish, but I strongly
21 urge you to talk to a lawyer.

22 Do you have any questions about your appeal
23 rights?

24 MR. SWIFT: I would note for the record, Your
25 Honor, as part of her plea agreement we waived almost all

1 rights, but we will go back through it.

2 THE COURT: And I'm still required to advise her.

3 MR. SWIFT: I understand, Your Honor.

4 THE COURT: So do you have any questions of your
5 appeal rights?

6 THE DEFENDANT: I do not have any questions.

7 THE COURT: Okay. Anything else from the
8 government?

9 MR. WEHBY: Your Honor, with the Court imposing
10 sentence, the government would move to dismiss the underlying
11 indictments.

12 THE COURT: Without objection?

13 MR. SWIFT: Without objection.

14 THE COURT: Anything else?

15 MR. SWIFT: No, Your Honor.

16 THE COURT: All right. Yeah. To -- under the
17 direction of the marshal, if you'll give her a few minutes
18 with at least her mother and brother, that would be good.
19 And the Court would like to see Ms. Levy and Mr. Swift, as
20 well as Mr. Wehby in chambers.

21 All right.

22 (Court adjourned.)

23

24

25